



IN THE CLAIMS:

Claims 16-24 were rejected under 35 USC 103 and/or 35 USC 112. Please cancel claims 16-24 and ADD new claims 25-32.

1-15. (canceled)

16-24. (canceled)

I hereby claim:

25. (new) A germ protective cake cover device for use in a freezer, comprising:

a generally transparent cover molded in the shape of a common cake, the cover further comprising a top surface and side surface, and;

a bottom piece upon which the cake sits, the bottom piece of a shape corresponding to that of the cover, the bottom piece functioning to receive the cover, effectively enclosing the cake therein, the bottom piece further comprising a locking means which functions to allow the cover to engage the bottom piece in a tight and secure fashion, and;

the top surface further comprising at least one round aperture therein, which function to allow the cake under the protective cake cover to receive and hold candles therein, said apertures of a suitable diameter to allow the candle to penetrate the cake under the cover while the candle is contained in it's own individual candle holder, while also preventing the melted wax from contacting the top of the cake, and;

further comprising said cover constructed from freezer-proof materials wherein said cake under said

cover may be stored in a freezer until needed.

26. A method for using a germ protective cake cover device in a freezer, said method comprising:

- (a) placing a cake in the device of Claim 25;
- (b) placing at least one candle through the at least one aperture in the cover of said device of Claim 25, penetrating the cake therein;
- (c) placing the cake and the device of Claim 25 into a freezer until needed.

27. The device of Claim 25 further comprising a plurality of indentations in said cover which function to facilitate lifting and lowering of the cover.

28. The device of Claim 25 further comprising at least one handle member on said cover, which functions to facilitate lifting and lowering of the cover.

29. The device of Claim 25 further comprising wherein the cover and bottom piece are of a shape selected from the group consisting of round, oval, square and rectangular.

30. The device of Claim 25 further comprising wherein the cover and bottom piece of the assembly are manufactured of a durable plastic or polymeric material.

31. The device of Claim 25 further comprising a plurality of letters of the alphabet that may be configured by a user into names on said cover.

32. The device of Claim 25 further comprising a message slot disposed on said cover to receive messages as desired by the user.